

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

VETH KONG,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. C20-6065-MLP

ORDER

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand from the court, the Appeals Council will instruct the Administrative Law Judge (ALJ) as follows. The ALJ will offer Plaintiff the opportunity for a hearing and make every reasonable effort to ensure that the administrative record is fully and fairly developed, including associating and considering any relevant evidence from Plaintiff's subsequent application. The ALJ will reevaluate the medical and non-medical opinion evidence of record and, if warranted, obtain evidence from a medical expert to clarify the onset date of disability. As warranted, the ALJ will reevaluate Plaintiff's symptom testimony

1 and maximum residual functional capacity. The ALJ will obtain supplemental vocational expert
2 evidence to clarify the effect of the assessed limitations on Plaintiff's ability to perform other
3 work in the national economy, if warranted by the expanded record. The ALJ will take any
4 further action needed to complete the administrative record and issue a new decision.

5 Judgment shall be entered for Plaintiff. Upon proper presentation, the Court will consider
6 whether reasonable attorney fees, costs, and expenses should be awarded pursuant to the Equal
7 Access to Justice Act, 28 U.S.C. § 2412(d); 28 U.S.C. § 1920.

8 DATED this 18th day of August, 2021.

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12 MICHELLE L. PETERSON
13 United States Magistrate Judge

14 Presented by:

15 s/ Lisa Goldoftas

16 LISA GOLDOFTAS
17 Special Assistant United States Attorney
18 Office of the General Counsel
19 Social Security Administration
20 701 Fifth Avenue, Suite 2900 M/S 221A
21 Seattle, WA 98104-7075
22 Telephone: (206) 615-3858
23 Fax: (206) 615-2531
24 lisa.goldoftas@ssa.gov